

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
W.R. GRACE & CO., et al.,) Case No. 01-1139 (JKF)
Debtors-in-Possession.) Jointly Administered
Re: Docket No. 13061

**STIPULATED ORDER CLARIFYING THE ORDER AS TO ALL
PRE-PETITION ASBESTOS PI LITIGATION CLAIMS, INCLUDING
SETTLED CLAIMS, (I) ESTABLISHING BAR DATES; (II) APPROVING
PROOF OF CLAIM FORM; AND (III) APPROVING NOTICE OF
PRE-PETITION ASBESTOS PERSONAL-INJURY CLAIMS BAR DATE**

Based upon agreement between the Official Committee of Asbestos Personal Injury Claimants and W.R. Grace & Co. ("Grace"), the Court hereby enters this Stipulated Order clarifying the Order as to All Pre-Petition Asbestos PI Litigation Claims, Including Settled Claims, (I) Establishing Bar Dates; (II) Approving Proof of Claim Form; and (III) Approving Notice of Pre-Petition Asbestos Personal-Injury Claims Bar Date, dated August 24, 2006, Dkt. No. 13061 (the "Bar Date Order").

ORDERED that the Bar Date Order and consequent requirement of filing of an Asbestos PI Proof of Claim form for unliquidated asbestos personal injury claims applies only to those claimants who filed an asbestos related personal injury or wrongful death lawsuit and served it on Grace prior to April 2, 2001 (the "**Petition Date**"); and it is further

ORDERED that the following categories of claimants are not subject to the Asbestos PI Bar Dates and do not have to file an Asbestos PI Proof of Claim form:

- (1) Claimants who were exposed to Grace asbestos or Grace asbestos containing material prior to the Petition Date, but were not diagnosed with any kind of asbestos-related disease until on or after the Petition Date.
- (2) Claimants who were both exposed to Grace asbestos or Grace asbestos containing material and diagnosed with an asbestos- related disease prior to the Petition Date, but who did not file a lawsuit against Grace prior to the Petition Date.
- (3) Claimants who filed a lawsuit naming Grace and/or other defendants prior to the Petition Date, but never served Grace with the lawsuit/complaint prior to the Petition Date and consequent bankruptcy stay precluding such service.

BY THE COURT:

Judith K Fitzgerald
The Honorable Judith K. Fitzgerald
United States District Court Judge 9/25/06